

FISCAL NOTE

Bill #: HB0052 **Title:** Expand crimes included in hate crime act
Primary Sponsor: Brad Newman **Status:** As introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	FY 2004 Difference	FY 2005 Difference
Expenditures:	\$0	\$0
Revenue:	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

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|---|---|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

1. The Department of Corrections (DOC) records indicate that four persons have been convicted under 45-5-221, MCA, during the last two years and no convictions under 45-5-222 are recorded. Assuming that the conviction rates under the new statutes would parallel the rates under current statutes, four new inmates in the future could impact the DOC but would not necessarily be attributable to the change in statute.
2. Average length of stay cannot be calculated for the new offenders. The bill will cause sentences to be longer, so costs will increase in theory, as offenders will be in prison longer than if this change were not made. These costs are not easily calculated but the long-term compounding of new offenders with longer sentences is the reason for "Significant Long-Term Impacts" being checked above.
3. No significant fiscal impact for the 2005 biennium is anticipated.

LONG-RANGE IMPACTS

4. It is unclear if persons currently convicted of offenses such as sexual assault would be additionally convicted and sentenced under the "gender" addition in 45-5-221, MAC, or if they might receive enhanced penalties under 45-5-222, MCA. There are approximately 100 persons sentenced for sexual assault per year, based on data from the last 10 years. These uncertainties plus the long-term compounding of new offenders with longer sentences is the reason for "Significant Long-Term Impacts" being checked above.